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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,535	03/08/2002	Mats Stille	3670-45	8875

23117 7590 12/21/2006  
NIXON & VANDERHYE, PC  
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ARLINGTON, VA 22203

EXAMINER
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AMINZAY, SHAIMA Q

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/21/2006	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/092,535

Applicant(s)

STILLE ET AL.

Examiner

Shaima Q. Aminzay

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 September 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 0200 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## ***DETAILED ACTION***

This office action is in response to Pre-Appeal Conference Request filed on 9/5/2006, the rejection is withdrawn and the prosecution is reopened.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-2, 4, 6-12, 14, 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Timonen (Timonen, U.S. Patent No. 6,741,848).

Regarding claim 1, Timonen discloses a method for determining which one of the owners of a shared radio network that a visiting MT (Mobile Terminal) (see for example, *Figures 1, 3, column 1, lines 10-11, column 2, lines 10-34, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13, lines 51-54, column 15, lines 34-67, column 16, lines 1-23, deciding which*

*service provider (owner) shared radio network that a visiting Mobile Station (MT)), which MT is not subscribed to any of the owners of said shared radio network (see for example, column 1, lines 10-11, column 2, lines 25-34, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13, lines 51-54, column 15, lines 34-67, the Mobile Station (MS) is not a subscriber of the service providers (owners)), is going to be connected to, said method comprising: deriving information from said visiting MT concerning its identity (see for example, Figures 1, 3, column 1, lines 10-11, column 2, lines 10-34, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13, lines 51-54, column 15, lines 34-67, column 16, lines 1-23, for connecting to the visiting MS obtaining information including the MS identification), and using said derived information in said shared radio network for determining which one of said shared radio network owners said visiting MT is going to be connected to (see for example, column 1, lines 10-11, column 2, lines 10-34, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13, lines 51-54, column 15, lines 34-67, column 16, lines 1-23, deciding which service provider (owner) shared radio network that a visiting Mobile Station (MT)).*

Regarding claim 11, Timonen discloses a device for determining which one of the owners of a shared radio network that a visiting MT (Mobile Terminal) (see for example, Figures 1, 3, column 1, lines 10-11, column 2, lines 10-34, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13,

*lines 51-54, column 15, lines 34-67, column 16, lines 1-23, deciding which service provider (owner) shared radio network that a visiting Mobile Station (MT)), which MT is not subscribed to any of the owners of said shared radio network (see for example, column 1, lines 10-11, column 2, lines 25-34, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13, lines 51-54, column 15, lines 34-67, the Mobile Station (MS) is not a subscriber of the service providers (owners)), is going to be connected to, by deriving information from said visiting MT concerning its identity (see for example, Figures 1, 3, column 1, lines 10-11, column 2, lines 10-34, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13, lines 51-54, column 15, lines 34-67, column 16, lines 1-23, for connecting to the visiting MS obtaining information including the MS identification), wherein said device comprises means for determining which one of said owners said visiting MT is going to be connected to, based on said derived information (see for example, column 1, lines 10-11, column 2, lines 10-34, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13, lines 51-54, column 15, lines 34-67, column 16, lines 1-23, deciding which service provider (owner) shared radio network that a visiting Mobile Station (MT)).*

Regarding claims 2 and 12, Timonen teaches all the limitations of claims 1, and 11, and further, Timonen teaches wherein said shared radio network is adapted for GPRS (Global Packet Radio Service) (see for example, column 13,

*lines 51-54, column 15, lines 34-67, column 16, lines 1-23).*

Regarding claims 4 and 14, Timonen teaches all the limitations of claims 1, and 11, and further, Timonen teaches shared radio network uses the radio system GSM (Global System for Mobile communication) *(see for example, column 1, lines 10-11, column 2, lines 10-34, column 5, lines 16-45).*

Regarding claims 6 and 16, Timonen teaches all the limitations of claims 1, and 11, and further, Timonen teaches wherein the IMSI (International Mobile Subscriber Identity) of the visiting MT is used for deriving information concerning the identity of said visiting MT *(see for example, column 1, lines 10-11, column 2, lines 10-34, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13, lines 51-54, column 15, lines 34-67, column 16, lines 1-23).*

Regarding claims 7 and 17, Timonen teaches all the limitations of claims 6, and 16, and further, Timonen teaches shared radio network uses GPRS (Global Packet Radio Service) *(see for example, column 1, lines 10-11, column 15, lines 34-67, column 16, lines 1-23).*

Regarding claims 8 and 18, Timonen teaches all the limitations of claims 6, and 16, and further, Timonen teaches said shared radio network uses any one of the following radio systems: UMTS (Universal Mobile Telecommunications

System), GSM (Global System for Mobile communication), CDMA (Code Division Multiple Access) or TDMA (Time Division Multiple Access) (see for example, column 1, lines 10-11, column 2, lines 10-34, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13, lines 51-54, column 15, lines 34-67, column 16, lines 1-23).

Regarding claims 9 and 19, Timonen teaches all the limitations of claims 2, and 12, and further, Timonen teaches comparing the derived information concerning the identity of the visiting MT with a list in the SGSN (Switching GPRS Support Node) of said shared radio network (see for example, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13, lines 51-54, column 15, lines 34-67, column 16, lines 1-23).

Regarding claims 10 and 20, Timonen teaches all the limitations of claims 9, and 19, and further, Timonen teaches wherein said shared radio network uses any one of the following radio systems: UMTS (Universal Mobile Telecommunications System), GSM (Global System for Mobile communication), CDMA (Code Division Multiple Access) or TDMA (Time Division Multiple Access) (see for example, column 1, lines 10-11, column 2, lines 10-34, column 4, lines 1-26, column 5, lines 16-45, lines 57-67, column 6, lines 1-4, column 13, lines 51-54, column 15, lines 34-67, column 16, lines 1-23).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action

(a) Patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

2. Claims 3, 5, 13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Timonen (Timonen, U.S. Patent No. 6,741,848) in view of Lintulampi (Lintulampi U.S. Patent No. 6,377,804).

Regarding claims 3 and 13, Timonen teaches all the limitations of claims 1, and 11, and further, Timonen teaches wherein said shared radio network is adapted for the radio system [*UMTS (Universal Mobile Telecommunications System)*] (see for example, column 15, lines 34-67, column 16, lines 1-23, the *shared radio network update*), however, Timonen does not specifically teaches the UMTS (Universal Mobile Telecommunications System).

In related art dealing with shared radio network (see for example, column 1, lines 4-27, lines 66-67, column 2, lines 1-10, lines 33-36, lines 61-64), Lintulampi teaches wireless communication system and uplink control transmission of wireless terminal UMTS (Universal Mobile Telecommunications System) (see for example, column 1, lines 4-27, lines 66-67, column 2, lines 1-10, lines 33-36,

*lines 61-64, column 3, lines 44-49, column 6, lines 13-15).*

It would have been obvious to one of ordinary skill in the art at the time invention was made to have included Lintulampi's UMTS with Timonen's telecommunication network to provide a system "possible to contact a visited mobile communication network, with which the home network does not have a roaming agreement" (Timonen, *column 3, lines 31-32*), and "to provide service roaming between any two or more networks which provide different numbers or levels of service" (Lintulampi, *column 6, lines 13-15*).

Regarding claims 5 and 15, Timonen teaches all the limitations of claims 1, and 11, and further, Timonen teaches shared radio network uses any of the radio systems [CDMA (Code Division Multiple Access) or TDMA (Time Division Multiple Access)] (see for example, *column 15, lines 34-67, column 16, lines 1-23, the shared radio network update*), however, Timonen does not specifically teaches the CDMA (Code Division Multiple Access) or TDMA (Time Division Multiple Access).

In related art dealing with shared radio network (see for example, *column 1, lines 4-27, lines 66-67, column 2, lines 1-10, lines 33-36, lines 61-64*), Lintulampi teaches wireless communication system and uplink control transmission of wireless terminal TDMA (Time Division Multiple Access) (see for example, *column 1, lines 4-27, lines 66-67, column 2, lines 1-10, lines 33-36, lines 61-64, column 3, lines 44-49, column 6, lines 13-15*).

It would have been obvious to one of ordinary skill in the art at the time invention was made to have included Lintulampi's TDMA with Timonen's telecommunication network to provide a system "possible to contact a visited mobile communication network, with which the home network does not have a roaming agreement" (Timonen, *column 3, lines 31-32*), and "to provide service roaming between any two or more networks which provide different numbers or levels of service" (Lintulampi, *column 6, lines 13-15*).

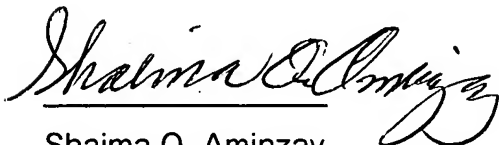
### **Conclusion**

The prior art made of record considered pertinent to applicant's disclosure, see PTO-892 form.

### **Inquiry**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shaima Q. Aminzay whose telephone number is 571-272-7874. The examiner can normally be reached on 7:00 AM -4:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mathew D. Anderson can be reached on 571-272-4177. The fax number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shaima Q. Aminzay  
(Examiner)



MATTHEW ANDERSON  
SUPERVISORY PATENT EXAMINER

December 14, 2006